

STATE COUNCIL ON DEVELOPMENTAL DISABILITIES
Action on 2008 Legislation and Status of Bills
(July 8, 2008)

State Council-Sponsored Legislation

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Bill No.	Bill No. (Author) Description and Updates	State Council Position	State Council Priority	Status as of July July 8, 2008
AB 725	<u>AB 725 (Lieber) – Universal Rental Application</u> As amended 7/7/08 Establishes a universal rental application that is available upon request in large print, color-illustrated accessible formats and in a format that is readable by computers equipped with aural-reading technology. This bill also requires the State Council on Developmental Disabilities to contract out to provide an accessible version of the application in English with large font and color illustrations.	Support	Housing	Senate Appropriations Committee 7/14/08 10am room 4203
AB 851	<u>AB 851 (Brownley) – Medi-Cal Eligibility</u> As amended 6/4/08 Authorizes individuals with disabilities who are eligible but temporarily unemployed to elect to remain on Medi-cal for a period of up to 52 weeks.	Support		Senate Appropriations Committee
AB 1503	<u>AB 1503 (Huff) – High School Exit Exam Waivers</u> As amended 3/13/08 Requires the superintendent of a school district to review waiver request and grant a waiver of the requirement that the student pass the high school exit exam.	Support	Special Education	Senate Appropriations Committee

AB 1768	<u>AB 1768 (Evans) – Due Process Hearing</u> As amended 4/8/08 Requires the continuation of services for an individual with exceptional needs between the 3 to 5, who is no longer eligible for early intervention services, by the local educational agencies during the hearing.	Support in Concept	Special Education	Dead. Held in Assembly Appropriations Committee
AB 1779	<u>AB 1779 (Jones) – Personal Information Security Breaches</u> As amended 6/9/08 Requires a notice be provided to the Office of Privacy Protection when a breach of the security of data of any resident of California whose personal information was acquired by an unauthorized person.	Support		Senate Appropriations Committee
AB 1824	<u>AB 1824 (Beall) – Regional Centers Employee Liability</u> As introduced Deletes the repeal date of January 1, 2009, that limits the liability for a regional centers employee for civil damages on account of an injury or death resulting from the employee's discretionary act or omission.	Support		Chaptered.
AB 1825	<u>AB 1825 (Beall) – Regional Center Dispute Resolutions</u> As amended 3/24/08 Established procedures for the dispute resolutions between regional centers and publicly funded agencies over payment for services contained in an individualized	Support		Senate Apparitions Committee

	family service plan or individualized program plan for children under six.			
AB 1872	<u>AB 1872 (Coto) – Autism Clearinghouse</u> As amended 5/23/08 Creates the California Autism Spectrum Disorder Clearinghouse within the State Department of Education to provide evidence-based and recommended practices for the education of students with ASD.	Support	Special Education	Senate Education Committee – Suspense File
AB 1875	<u>AB 1875 (Huff) – Residential Care Facilities</u> As amended 3/24/08 Changes the definition of “over concentration” to require that the distance between residential licensed facilities are separated by 1000 feet.	Oppose	Housing	Dead. Held in Assembly Human Services Committee
AB 1887	<u>AB 1887 (Beall)- Health Care Coverage: Mental Health</u> As introduced Expands the coverage requirement for certain health care service plan contracts and health insurance policies to include the diagnosis and treatment of a mental illness of a person of any age and would define mental illness for this purpose as a mental disorder defined in the Diagnostic and Statistical Manual IV.	Support if Amended		Senate Appropriation Committee 7/14/08 10am room 4203
AB 1983	<u>AB 1983 (Evans) – Consumer Abuse Registry</u> As amended 3/25/08	Support	Abuse Prevention	Dead. Held in Assembly Appropriations

	Establishes a registry of direct service workers who have been reported of consumer abuse and would require providers to access the registry before hiring a direct service worker and would prohibit providers from hiring or contracting with a direct service worker who is included in the registry.			Committee
AB 2038	<u>AB 2038 (Lieber)- Crime Victims with Disabilities Act</u> As amended 6/9/08 The Crime Victims with Disabilities Act takes a comprehensive approach, upgrading law enforcement training, giving police and judges new tools to protect victims, assuring that relevant state agencies focus on the problem, and changing terminology to make it clear to all that the law protects all Californians with disabilities.	Support	Abuse Prevention	Senate Appropriations Committee
AB 2040	<u>AB 2040 (Nunez) – High School Exit Exam</u> As introduced Authorizes the Superintendent of Public Instruction to convene a panel that would standardize evidence-based assessment of students with disabilities who have fulfilled all the requirements for high school graduation expect pass the high school exit exam to be eligible to receive high school diploma.	Support	Special Education	Senate Appropriation Committee
AB 2051	<u>AB 2051 (Anderson)- Elder Abuse Offender Registry</u> Declares that it is the intent of the legislature to enact	Watch	Abuse Prevention	Dead. Failed to move out of its first policy

	legislation that would require the state to compile details on convictions for crimes committed against an elder or dependant adult in an elder abuse offender registry that is publicly accessible via an internet web site.			committee.
AB 2121	<u>AB 2121 (Aghazarian) – State Park Disabled Passes</u> As introduced Establishes Nikola’s law, which requires the Department of Parks and Recreation to issue free state park passes to Californians with disabilities.	Support		Dead. Held in Assembly Appropriations Committee
AB 2139	<u>AB 2139 (De La Torre) – Auto Insurance- IHSS</u> As introduced This bill would prohibit an auto liability policy from containing any provision that excludes from coverage a vehicle used to perform in home supportive services.	Support		Senate Floor – Third Reading
AB 2172	<u>AB 2172 (Cook) –Elder Abuse Registry</u> As introduced Requires the Department of Justice to develop an internet web site to be updated regularly, which would make available to the public certain information about a person who has been convicted at least once of a specified crime against elders or dependent adults.	Support if Amended	Abuse Prevention	Assembly Public Safety
AB 2226	<u>AB 2226 (Ruskin) – Special Education Teacher Preparation Programs</u>	Support	Special Education	Conference Committee

	<p>As amended 4/3/08 Encourages institutions of higher education or local education agencies to accept coursework or field experience completed in another institution or agency; and requires the Commission on Teacher Credentialing to convene a workgroup to establish guidelines for equivalency in special education teacher preparation program.</p>			
AB 2242	<p><u>AB 2242 (De Leon) – IHSS Hour Reassessment</u></p> <p>As amended 4/7/08 Requires that recipients of In Home Supportive Services (IHSS) program following a reassessment be provided with an individual explanation stating how increasing or reducing hours for tasks affects that recipient.</p>	Support		Dead. Failed to meet deadline to move out of house of origin.
AB 2263	<p><u>AB 2263 (Caballero) – IHSS Case Management Information and Payroll Services</u></p> <p>As introduced Requires CMIPS to include the IHSS-Plus Waiver and require that it shorten the average time period in which lost or stolen provider checks are reissued.</p>	Support in Concept		<p>Senate Appropriations Committee</p> <p>7/14/08 10am room 4203</p>
AB 2302	<p><u>AB 2302 (Bass) – Teacher Credentialing: Students with Autism</u></p> <p>As amended 4/22/08 Authorizes a local education agency or school to assign</p>	Support	Special Education	Chaptered.

	a teacher who holds a level 1 education specialist credential that allows them to provide instruction to individuals with mild to moderate disabilities to <u>also</u> provide instruction to pupils with autism.			
AB 2308	<p>AB 2308 (Karnette) – Public Employment: Disabled Persons</p> <p>As amended 5/23/08 Directs the State Personnel Board to waive the requirements for a high school diploma for candidates who qualify as an eligible person with a disability in designated classifications.</p>	Support	Employment	Senate Floor – Second Reading
AB 2424	<p><u>AB 2424 (Beall) – IPP Process, Employment and Education</u></p> <p>As amended on 5/27/2008 Requires that IPP teams start with the presumption that individuals with developmental disabilities would prefer to live, work, and participate in integrated community activities (unless the consumer has expressed otherwise). The bill will require to that the IPP identify barriers to integrated services, be provided in the person's primary language, support the transition of individuals over 16 from school to integrated work, postsecondary education, volunteer activities, and living arrangements. AB 2424 will also establish a statewide Employment First Policy.</p>	Co-Sponsor	Employment	Senate Appropriations Committee
AB 2635	AB 2635 (Beall) – State Employment for Individuals with	Support in	Employment	Senate

	<p>Disabilities</p> <p>As amended 5/23/08 Requires that the State Personnel Board be responsible for establishing affirmative action programs to ensure that individuals with disabilities who are capable of employment include individuals with developmental disabilities who are able to work with structured support from a supported employment program.</p>	Concept		<p>Appropriations Committee</p> <p>7/14/08 10 am room 4203</p>
AB 2717	<p><u>AB 2717 (Lieber) – Due Process: Burden of Proof</u></p> <p>As amended 5/28/08 Designates that burden of proof in a due process hearing to the responsible educational agency</p>	Support	Special Education	Senate Appropriations Committee
AB 2891	<p><u>AB 2891 (Levine) – Affordable and Accessible Housing Fund</u></p> <p>As introduced Establishes the Lanterman Accessible and Affordable Housing Fund.</p>	Support	Housing	Dead. Held in Assembly Appropriation Committee
AB 3019	<p><u>AB 3019 (Lieber) – Corrections: Disabled and Mentally Ill Prisoners</u></p> <p>As amended 4/10/08 Requires the Department of Corrections and Rehabilitation to create a specialized rehabilitation and parole program for prisoners with developmental disabilities.</p>	Watch		Dead. Held in Assembly Appropriation Committee

ACR 114	<u>ACR 114 (Parra) – Home to School Transportation</u> As amended 4/28/08 This Assembly Concurrent Resolution requests the Superintendent of Public Instruction to convene a committee to investigate savings and best practices for school districts operating home-to-school transportation programs.	Support	Transportation	Senate Appropriation Committee
AJR 43	<u>AJR 43 (Hayashi) – Voting Rights</u> As amended 5/8/08 Calls on Congress to amend the Help America Vote Act to ensure that eligible citizens who wish to vote may only be denied that right if they cannot indicate, with or without help, a desire to participate in the voting process.	Watch		Enrolled – to the Governor
SB 527	<u>SB 527 (Steinberg) – Autism Screening</u> As amended 5/22/08 Requires DDS to partner with at least one regional center to implement a 2-year ASD Early Screening, Intervention, and Treatment Pilot Program in at least 3 counties.	Support		Assembly Appropriations Committee 7/9/08 9:30am room 4202
SB 1119	<u>SB 1119 (Harman) – Community Care Facilities</u> As introduced Declares that it is the intent of the legislature to develop policies and programs to provide adequate services to,	Watch		Dead. Failed to move out of its first policy committee.

	and protect the rights of, persons who receive services from a community care facility.			
SB 1140	<u>SB 1140 (Steinberg) – Financial Abuse of Elder or Dependent Adults</u> As amended 6/2/08 Adds the definition of financial abuse as the taking, secreting, appropriating, obtaining, or retaining or assisting in the taking, secreting, appropriating, obtaining, or retaining of real or personal property of an elder or dependent adult by undue influence. This bill also eliminates the requirement that specified standards be proven before compensatory damages and attorney's fees and cost are awarded.	Support	Abuse Prevention	Assembly Floor -
SB 1170	<u>SB 1170 (Alquist) – Immediate Care Facilities</u> As amended 3/25/08 Clarifies that the licensing and Medi-Cal regulations are to be jointly developed by the State Department of Public Health, the State Department of Health Care Services, and the State Department of Developmental Services. The bill also requires that the regulations set forth training standards of intermediate care facilities/developmentally disabled – nursing direct care staff who are not licensed professional.	Support		Dead. Held in Senate Appropriation Committee
SB 1175	<u>SB 1175 (Steinberg) – Regional Center Housing</u> As amended 6/2/08	Support	Housing	Assembly Floor

	Expands the existing authority granted to the Bay Area Housing Consortium Regional Centers to all regional centers as well as allow regional centers to enter into contracts for housing for clients.			
SB 1183	<u>SB 1183 (Wiggins) – Health Services: Sonoma Developmental Center</u> As amended 5/28/08 Requires the Director of Developmental Services to provide wheelchair repair and modification and orthopedic shoe services at the Sonoma Developmental Center.	Support in Concept		Assembly Appropriations Committee 7/9/08 9:30am room 4202
SB 1198	<u>SB 1198 (Kuehl) – Durable Medical Equipment</u> As introduced Requires health care service plans to offer coverage for durable medical equipment and services including manual and motorized wheelchairs, scooters, oxygen equipment, crutches, walkers, electric beds, showers and bath seats, and mechanical patient lifts.	Support		Assembly Appropriations Committee 7/9/08 9:30am room 4202
SB 1259	<u>SB 1259 (Margett) – Crimes Against Elders and Dependent Adults</u> As amended 3/24/08 Establishes specified penalties for the act of willfully causing or permitting an elder or dependent adult to suffer or inflicting unjustifiable physical pain or mental suffering, or causing or permitting the person or their	Support	Abuse Prevention	Dead. Failed to pass out of the Senate Public Safety Committee.

	health to be injured or endangered punishable by imprisonment and fines.			
SB 1281	<u>SB 1281 (Wyland) – Special Education: Workability Project Grant</u> As amended 4/9/08 Requires the Superintendent of Public Instruction to use funds to ensure that transition services, including the coordination of service with agencies involved in supporting transition of individuals with exceptional needs into postsecondary activities including vocational special occupational programs, are developed and implemented.	Support	Special Education	Dead. Failed to move out of first policy committee.
SB 1317	<u>SB 1317 (Steinberg) – Habilitation Services</u> As amended 4/15/08 This bill would permit a regional center to assign a person to a career opportunity program, at an hourly rate set by the department, as part of an individual program plan. This bill would define career opportunity program as an accredited nonprofit agency that competitively offers prescribed goods or services that provide employment opportunities to persons with disabilities.	Support if Amended	Employment	Dead. Held in Senate Appropriations Committee.
SB 1364	<u>SB 1364 (Cedillo) – ASD Advisory Council & Centralized Registry</u> As amended 5/27/08	Watch		Assembly Appropriations Committee

	Establishes the Autism Spectrum Disorder Advisory Council by January 1, 2010 that will provide recommendations to the Department of Public Health to enable it to deal more effectively with the public health crisis of ASD. This bill will also create a voluntary centralized registry for individuals with ASD and the ADS Public Health Program Fund.			7/9/08 9:30am room 4202
SB 1446	<u>SB 1446 (Romero) – High School Exit Exam</u> As amended 4/23/08 Requires the Superintendent of Public Instruction to convene a panel to make recommendations regarding the standardized evidence-based assessment for eligible students with disabilities who have fulfilled all of the requirements for a high school diploma except pass the high school exit exam.	Support	Special Education	Enrolled– To the Governor
SB 1475	<u>SB 1475 (Torlakson) – Autism Pilot Project</u> As amended 6/9/08 Establishes a 2 year pilot project by DDS to provide best practices to improve transition of children three years of age with ASD from regional centers to school districts.	Support	Special Education	Assembly Appropriations Committee
SB 1515	<u>SB 1515 (Kuehl) – Restraint and Seclusion</u> As amended 5/27/08 Prohibits the use of behavior restraints by educational providers unless the restraint is used in an emergency situation to prevent imminent physical harm to the pupil, staff, or others; less restrictive alternatives are	Support	Abuse Prevention	Assembly Floor

	unavailable; staff implementing the restraint have completed specified training by the department; and staff keeps pupil under face to face observation. This bill will also require specified follow up by the educational provider with the pupil, parents and the Department as well as require documentation of debriefing sessions.			
SB 1531	<u>SB 1531 (Correa) – Peace Officer Training</u> As amended 5/20/08 Requires the Commission on Peace Officer Standards and Training upon the next scheduled review of a training module relating to persons with disabilities, to create and make available on DVD and electronically a course on how to recognize and interact with people with ASD for peace officers, firefighters, ambulance attendants and other emergency workers.	Support		Assembly Floor
SB 1563	<u>SB 1563 (Perata) – Pervasive Developmental Disorders</u> As amended 5/1/08 Requires the Department of Managed Health Care and the Department of Insurance to review guidelines and standards on the screening, diagnosis, assessment and treatment of ASD.	Support		Assembly Appropriations Committee
SB 1599	<u>SB 1599 (Wiggins) – IHSS: Project for California Independence</u> As amended 5/19/08	Support		Dead. Held in Senate Appropriations Committee

	Establishes the Project for California Independence that would authorize certain individuals who are not financially eligible to receive IHSS, to purchase those services at their own expense.			
SB 1608	<u>SB 1608 (Corbett) – Disabled Persons Equal Access Rights</u> As amended 5/27/08 This bill creates (1) the California Commission on Disability Access; (2) a new procedure where qualified defendants (those who have sought and achieved CASp certification) can request an early conference opportunity and a 90-day stay so that a judge can look early at the case; (3) requires notice to a defendant that a plaintiff's attorney must provide a compliant or demand letter, detailing legal rights and obligations; and (4) establishes an education requirement for architects and building inspectors on disability access laws, regulations, and standards.	Support if Amended		Assembly Appropriations Committee
SB 1632	<u>SB 1632 (Ackerman) – ASD Surveillance and Screening</u> As introduced Declares that it is the intent of the legislature to enact legislation that would expand developmental disability surveillance and screening, including screening for autism spectrum disorders for children from birth through five.	Watch		Dead. Failed to move out of first policy committee.
SB 1687	<u>SB 1687 (Negrete-McLeod) – State Contracts: Persons</u>	Oppose unless	Employment	Assembly

	<u>with Developmental Disabilities: Business Enterprises</u> As amended 5/27/08 Establishes a statewide participation goals of not less than 2% for developmentally disabled business enterprises to participate in all contracts awarded by the state for construction, services, materials, supplies, equipment, alterations, repairs or impairments. This bill also defines a developmentally disabled business enterprise as businesses owned or managed by on or more persons with a developmental disability, as well as community-based nonprofit organizations that employ people with developmental disabilities.	Amended		Appropriations Committee
SB 1766	<u>SB 1766 (McClintock) – Disabilities Access</u> As introduced Allows an individual with a disability to notify the owner or manager of a public accommodation or housing accommodation if that accommodation does not provide full and equal access and sets forth that it is the duty of responsible party to make improvements within 6 months.	Oppose unless Amended	Housing	Dead. Failed to move out of its first policy committee
SB 1774	<u>SB 1774 (Corbett) – State Council on Developmental Disabilities</u> As amended 4/7/08 Requires that the State Council on Developmental Disabilities have representation from each of the 3 university centers for excellence and allows for State Department designees to serve on the Council. This bill	Sponsor		Assembly Floor Committee

	will increase the Council membership from 29 members to 31 by adding a seat for the third UCEED and a consumer.			
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